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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company (U39E) for Approval of Demand Response Programs, Pilots and Budgets for Program Years 2018-2022.

Application 17-01-012

And Related Matters.

Application 17-01-018

Application 17-01-019

**ADMINISTRATIVE LAW JUDGE'S RULING NOTICING
WORKSHOP ON DEMAND RESPONSE DUAL PARTICIPATION**

Summary

A workshop will be held on February 13, 2018 from 10:00 a.m. to 3:30 p.m. to discuss: 1.) current demand response dual participation rules and 2.) proposals for revising the rules in response to concerns of possible disparate treatment of customers.

Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company (the Utilities) shall jointly develop an overview of the dual participation rules to present at the workshop as the foundation for the morning discussion. The Utilities, the Joint Demand Response

Parties,¹ and OhmConnect, Inc. (OhmConnect) shall, and other parties may, each develop presentations of proposed revisions to the rules with the purpose of ensuring a level playing field for all demand response providers. Electronic copies of all presentations shall be served to the service list no later than 12:00 noon on Friday, February 9, 2018.

Discussion

The scope of this proceeding includes a review of the applications with respect to whether the applications advance the goal, principles, and guidance adopted in Decision (D.) 16-09-056 and comply with the directives in that decision and other relevant directives listed in prior Commission decisions and rulings. The Joint Demand Response Parties and OhmConnect contend that aspects of the applications are not consistent with certain demand response principles. These parties maintain that disparities in demand response programs that advantage or create preferences for utility demand response customers conflict with the principles of customer choice and market-driven demand response with a preference for third-party providers. Stating that these principles require the Commission to ensure competitive parity between the utility-administered demand response programs and those administered by third-parties, the Joint Demand Response Parties and OhmConnect requested the Commission to review the demand response dual participation rules and alleged disparities created by the rules.

D. 17-12-003 found that conflicting policy statements have led to confusion about the dual participation rules. The decision also determined that there was

¹ The Joint Demand Response Parties are CPower, EnerNOC, Inc., EnergyHub, and Converge, Inc.

insufficient evidence in the record for the Commission to revise its policies on dual participation in a third-party demand response program and a utility administered demand response program. Accordingly, D.17-12-003 stated a workshop would be held in early 2018 and a final determination on dual participation rules would be addressed in a future decision.

Pursuant to D.17-12-003, this ruling notices a workshop to discuss the concerns with the current demand response dual participation rules, clarify the rules, and begin to develop options for ensuring the rules do not conflict with the demand response goal and principles. The workshop will be held:

<p>Tuesday, February 13, 2018 10:00 a.m. to 3:30 p.m.</p>	<p>Commission Auditorium 505 Van Ness Avenue, San Francisco, CA 94102 USA Toll Free Number: 877-937-0554 Participant Passcode: 7031793</p>
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The morning two-hour session will entail a review of the dual participation rules and the afternoon session will provide parties an opportunity to present and discuss proposals to revise the rules. A telephone line has been established for those unable to attend in person. However, this is a one-way listening line only.

To prepare for the workshop the Utilities shall develop a presentation explaining the demand response dual participation rules. Additionally, the Utilities, the Joint Demand Response Parties, and OhmConnect shall each prepare, for presentation, a proposal for revising the dual participation rules to ensure compliance with the adopted demand response goal and principles. Other parties are also encouraged to develop their own proposal to present. All

presentations shall be served on the service list no later than 12:00 noon on Friday, February 9, 2018.

IT IS RULED that:

1. A workshop to address the demand response dual participation rules will be held on Tuesday, February 13, 2018 from 10:00 a.m. to 3:30 p.m.
2. Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall jointly develop an overview of the dual participation rules as the foundation for the morning discussion.
3. Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company (jointly), the Joint Demand Response Parties and OhmConnect, Inc. shall, and other parties may, each develop presentations of proposed revisions to the demand response dual participation rules to ensure a level playing field for all program providers.
4. Electronic copies of all demand response dual participation workshop presentations shall be served to the service list no later than 12:00 noon on Friday, February 9, 2018

Dated January 30, 2018, at San Francisco, California.

/s/ KELLY A. HYMES
Kelly A. Hymes
Administrative Law Judge